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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RACHEL CYMBALISTA and ARIEL
CYMBALISTA, on behalf of themselves
and all others similarly situated,

Plaintiff,

vs.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Case No. CV-20-456 (RPK) (LB)

**DECLARATION OF GIO SANTIAGO,
KCC CLASS ACTION SERVICES, LLC
RE: NOTICE AND SETTLEMENT
ADMINISTRATION**

I, Gio Santiago, declare and state as follows:

1. I am a Senior Project Manager with KCC Class Action Services, LLC (“KCC”). The Court has appointed KCC as Administrator to perform notice, payment distribution, and other administrative tasks in connection with the proposed Settlement of the above-captioned Action.¹ I have personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

CLASS LIST

2. On June 8, 2021, KCC received from Defense Counsel a list of 300,063 persons identified as the Class List. The Class List included loan identifier, property address, customer name, customer address, customer email address, co-owner name, and co-owner email address.

¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Parties’ *Settlement Agreement and Release*.

1 KCC formatted the list for mailing purposes, removed duplicate records, and processed the names
2 and addresses through the National Change of Address Database to update any addresses on file
3 with the United States Postal Service (“USPS”). A total of 21,197 addresses were updated via
4 NCOA. After removing duplicates, the Class List consisted of 293,419 unique records.

5 **MAILING AND EMAILING OF THE NOTICE**

6 3. KCC caused the Postcard Notice to be printed in the form submitted by the Parties
7 to the Court with the motion for preliminary approval and thereafter approved by the Court. On
8 January 6, 2022, KCC caused the Postcard Notice to be mailed to the 293,419 names and mailing
9 addresses in the Class List. A true and correct copy of the Postcard Notice is attached hereto as
10 Exhibit A.

11 4. On January 6, 2022, KCC caused the Email Summary Notice, in the form approved
12 by the Court, to be emailed to the 199,970 names and email addresses in the Class List. A true and
13 correct copy of the Email Summary Notice is attached hereto as Exhibit B.

14 5. Since mailing the Postcard Notices to the Class Members, KCC has received 17,340
15 Postcard Notices returned by the USPS with undeliverable addresses without forwarding address
16 information. Through credit bureau and/or other public source databases, KCC performed address
17 searches for these undeliverable Postcard Notices and was able to find updated addresses for 5,178
18 Class Members. KCC promptly re-mailed Postcard Notices to the found new addresses.

19
20 **SETTLEMENT WEBSITE**

21 6. On or about January 5, 2022, KCC established a website
22 [www.interestonescrowsettlement.com] dedicated to this matter to provide information to the Class
23 Members and to answer frequently asked questions. The website URL was set forth in the Postcard
24 Notice, Email Summary Notice, and Long Form Notice. Visitors to the website can read or
25 download copies of the Long Form Notice and Summary Notice, in English and Spanish, and other
26 case-related documents. As of March 3, 2022, the website has received 10,315 visits.

27
28 7. On or about January 22, 2022 KCC also posted the filed Memorandum in Support

1 of Motion for Attorneys' Fees, Costs and Service Award to the settlement website.

2 **TELEPHONE HOTLINE**

3 8. KCC established and continues to maintain a toll-free telephone number (855-786-
4 1046) for potential Class Members to call and obtain information about the Settlement or request a
5 hard copy Notice during regular business hours. The telephone hotline became operational on
6 January 6, 2022, and is accessible 24 hours a day, 7 days a week. As of March 3, 2022, KCC has
7 received a total of 2,673 calls to the telephone hotline.
8

9 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

10 9. The Notice informs Class Members that requests for exclusion from the Class had
11 to be postmarked by no later than February 21, 2022. As of the date of this declaration, KCC has
12 received 11 timely requests for exclusion. A list of the persons who timely requested to be excluded
13 from the Class is attached hereto as Exhibit C.
14

15 **OBJECTIONS TO THE SETTLEMENT**

16 10. The deadline for Class Members to object to the settlement was February 21, 2022.
17 As of the date of this declaration, KCC has not received any objections to the settlement.
18

19 **ADMINISTRATION COSTS**

20 11. As of the date of this declaration, based on the information provided by the parties
21 and certain assumptions, KCC estimates its total cost of administration for this matter to be
22 \$441,887.17. This amount includes costs to date as well as estimated costs through the completion
23 of this matter. KCC's actual fees and charges may be less or more than estimated due to the scope
24 of actual services or changes to the underlying facts or assumptions.

25 I declare under penalty of perjury under the laws of the United States of America that the
26 foregoing is true and correct.
27

28 Executed on March 7, 2022.



Gio Santiago

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EXHIBIT

A

**LEGAL NOTICE BY ORDER OF THE
UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK**

*A federal court authorized this notice.
This is **not** a solicitation from a lawyer.*

**YOU ARE RECEIVING THIS NOTICE
BECAUSE JPMORGAN CHASE BANK
SERVICED AN ESCROW ACCOUNT FOR
YOUR MORTGAGE LOAN FOR PROPERTY
IN CONNECTICUT, MARYLAND,
MINNESOTA, NEW YORK, RHODE
ISLAND, OR WISCONSIN. YOU MAY BE
ELIGIBLE FOR PAYMENT FROM A CLASS
ACTION SETTLEMENT.**

**You do not need to take any action to receive a
payment.**

**Read this notice and visit
www.InterestOnEscrowSettlement.com
for more information.**

**Questions?
Call 1-855-786-1046**

**Para ver este aviso en español, visite
www.InterestOnEscrowSettlement.com**

Cymbalista v. JPMorgan Chase Bank
Settlement Administrator
P.O. Box 43420
Providence, RI 02940-3420

«3of9 barcode»

«BARCODE»

Postal Service: Please do not mark barcode

JMC «Claim Number»

«FIRST1» «LAST1»

«ADDRESS LINE 1» «ADDRESS LINE 2»

«CITY», «STATE»«PROVINCE» «POSTALCODE»

«COUNTRY»

JMC

What is this notice about? A proposed settlement has been reached in a class action lawsuit. The lawsuit claims that JPMorgan Chase Bank, N.A. (“Chase”) did not pay interest on mortgage escrow balances as required by the laws of Connecticut, Maryland, Minnesota, New York, Rhode Island, and Wisconsin. Chase denies that it did anything wrong. The settlement, if approved, resolves the case and provides benefits to Settlement Class Members who do not exclude themselves from the Settlement Class.

Who is included? The “Settlement Class” consists of those persons identified in Chase’s mortgage-servicing records as holding a mortgage loan serviced by Chase that was secured by real property in Connecticut, Maryland, Minnesota, New York, Rhode Island, or Wisconsin who, during the Class Period (defined in the Settlement Agreement), would have been due interest on an escrow account maintained by Chase under the law of the state in which the property was located but were not paid such interest. The Settlement Agreement, available at www.InterestOnEscrowSettlement.com, contains the full Settlement Class definition. If you received this notice by mail, Chase’s records indicate that you are a Settlement Class Member.

What can I get? Under the proposed settlement, Chase will pay \$11.5 million into a settlement fund, which will cover settlement payments for Settlement Class Members, attorneys’ fees and expenses, administrative costs and any Plaintiffs’ service awards. If the settlement is approved and becomes final, each Settlement Class Member will receive a settlement payment from that fund. The average settlement payment amount is currently anticipated to be approximately \$24.00, but your payment may be higher or lower depending on the balance(s) in your mortgage escrow account. Specifically, each Settlement Class Member will get a minimum payment of \$5.00, plus a portion of the remaining settlement payment funds in amounts proportionate to the alleged amount of unpaid interest owed on their mortgage escrow account balances. Chase will also pay interest on escrow accounts of Settlement Class Members under the law of the state in which the property was located going forward for three years unless there is a controlling legal determination it does not have to.

You do not need to file a claim or take any other action to receive a settlement payment. If the settlement is approved and becomes final, payments will be sent by check.

What are my options? (1) You can do nothing, and receive a payment and other benefits if the settlement becomes final; or (2) You can exclude yourself, receive no payment or other benefits under this settlement, and retain any right you have to sue Chase about the issues in this lawsuit. To exclude yourself, you must mail a signed, written request for exclusion, postmarked no later than **February 21, 2022**, to: *Cymbalista v. JPMorgan Chase Bank* Settlement Administrator, P.O. Box 43420, Providence, RI 02940-3420. If you do not exclude yourself, and the Court approves the settlement, you will be bound by the Court’s orders and judgments and will release your claims relating to this lawsuit. If you do not exclude yourself, you can object to or comment on the settlement and/or Settlement Class Counsel’s request for attorneys’ fees, expenses and service awards to the Plaintiffs who brought this case on behalf of the Settlement Class. To object, you must submit a signed, written objection to the Court and the Settlement Administrator by no later than **February 21, 2022**, and your objection must include the information described at www.InterestOnEscrowSettlement.com. For more information, visit www.InterestOnEscrowSettlement.com.

What happens next? The Court will hold a hearing by telephone on **March 17, 2022 at 11:00 a.m. Eastern** to decide whether to approve the settlement, how much attorneys’ fees and expenses to award the attorneys who worked representing the Settlement Class (up to one-third of the \$11.5 million settlement fund), and whether to award service awards of up to \$10,000.00 to each of the Plaintiffs who brought this case on behalf of the Settlement Class. If you wish to attend the telephone hearing, call (888) 363-4734 and use the access code 4444221 at 11:00 a.m. Eastern on March 17, 2022. You or your attorney may ask permission to speak at the hearing. The date and time of this hearing may change, and/or the Court may change whether the hearing is held by telephone, without further notice. Please check www.InterestOnEscrowSettlement.com for updates.

Who represents me? The Court has appointed the law firms of Tusa P.C.; Lief Cabraser Heimann & Bernstein LLP; and Giskan Solotaroff & Anderson LLP to represent the Settlement Class. Together, these lawyers are called Settlement Class Counsel. You do not need to pay these lawyers out of your pocket; instead these lawyers will apply for compensation out of the settlement fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I get more information? For more information, including to view copies of case documents including a detailed long-form notice, the full Settlement Agreement, the complaint in the lawsuit, and Settlement Class Counsel’s attorneys’ fees and service awards motion (once it is filed), visit www.InterestOnEscrowSettlement.com, call 1-855-786-1046, or contact Settlement Class Counsel at 415-956-1000.

PLEASE DO NOT CONTACT THE COURT

EXHIBIT

B

LEGAL NOTICE BY ORDER OF THE UNITED STATES
DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

*A federal court authorized this notice. This is **not** a solicitation from a lawyer. You are not being sued.*

YOU ARE RECEIVING THIS NOTICE BECAUSE JPMORGAN CHASE BANK SERVICED AN ESCROW ACCOUNT FOR YOUR MORTGAGE LOAN FOR A RESIDENCE IN CONNECTICUT, MARYLAND, MINNESOTA, NEW YORK, RHODE ISLAND, OR WISCONSIN. YOU MAY BE ELIGIBLE FOR PAYMENT FROM A CLASS ACTION SETTLEMENT.

You do not need to take any action to receive a payment. Read this notice and visit www.InterestOnEscrowSettlement.com or call 1-855-786-1046 for more information.

Para ver este aviso en español, visite www.InterestOnEscrowSettlement.com.

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PLEASE DO NOT CONTACT THE COURT

EXHIBIT

C

Claim number	First Name	Last Name	Address line 1	City	State	Postal code
IT-137-512	JEFFREY A	WEST	66 WALES RD	STAFFORD SPRINGS	Connecticut	06076-3520
LD-403-229	CYNTHIA	CRISP	PO BOX 597	JEFFERSONVILLE	New York	12748-0597
NP-265-219	ROBERT L	ARLEO JR	164 SUNSET PARK RD	HAINES FALLS	New York	12436-7771
QG-182-885	MARILYN	DANIELS	25 LAFAYETTE AVE APT 6C	BROOKLYN	New York	11217-1433
WB-793-640	GARRY	WEATHERS	296 PARKSIDE AVE	BROOKLYN	New York	11226-1479
DD-214-773	SHERI A	SPEER	151 TALMAN ST	NORWICH	Connecticut	06360-5947
FJ-522-607	ELIZABETH M	LAWRENCE	124 DEEN BLVD	AUBURNDALE	Florida	33823-2537
NO-242-377	ELIAS	KHREISH	2528 RYELAND ST	FITCHBURG	Wisconsin	53711-5494
NY-735-760	BEHNAM	ASHJARI	60 BARKER ST APT 719	MOUNT KISCO	New York	10549-1734
RR-227-837	ARLENE M	BAXTER	1830 OHIO AVE	SHEBOYGAN	Wisconsin	53081-6635
UJ-279-537	ROGER A	HORTON JR	2389 WILLIAMS RD	ADDISON	New York	14801-9411